

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: : Bankruptcy No. 21-21690-CMB
: Chapter 13
John F. Hobdy, Jr. : Doc No. ____
Debtor :
: Response Due: August 25, 2022
First National Bank of Pennsylvania : Hearing Date: September 20, 2022
Movants :
v. :
John F. Hobdy, Jr. :
Ronda J. Winnecour, Chapter 13 Trustee :
Respondents :

**RESPONSE TO FIRST NATIONAL BANK OF PENNSYLVANIA'S MOTION
FOR RELIEF FROM AUTOMATICSTAY AS TO 2011 HYUNDAI
SONATA MOTOR VEHICLE**

AND NOW, comes, John F. Hobdy, Jr. ("Debtor"), by and through his attorney, Matthew M. Brennan, Esquire, and responds to the Motion for Relief from Automatic Stay, Under 11 U.S.C. Section 362 filed by Movant on August 4, 2022 at Docket #34. Debtor aver as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Admitted.
9. Admitted.
10. Denied. Debtor filed an amended Schedule C exempting the 2011 Hyundai Sonata on August 8, 2022, docket numbers 36 and 37.
11. Admitted.

12. Denied. Debtor believes the Hyundai Sonata to be worth significantly more than \$1,788.00, as it has roughly 100,000 miles, not 137,500 as the Movant asserts. Even in the lowest condition using Kelly Blue Book, the value is \$4,900.00.
13. Denied. There is adequate protection as the vehicle has roughly \$3,100.00 in equity.
14. Admitted.
15. Denied. There is no cause, as there is adequate protection and the Debtor has resumed making payments having made a \$1,200.00 payment via TFS Bill Pay on August 25, 2022, and counsel will prepared an Amended Plan to account for arrears accrued while Debtor had reduced household income.
16. Denied. As stated above, there is adequate protection.
17. Agreed.
18. Denied. The Kelly Blue Book value is \$4,900.00.
19. Denied. There is sufficient equity, and the vehicle is necessary for the Debtor to complete the Plan.
20. Debtor does not have sufficient information to either agree or deny.
21. Denied. There is adequate protection and equity.
22. Denied. The automatic stay should be upheld, as the Movant is sufficiently protected and the vehicle is necessary for the Debtor to complete the Plan. Debtor intended to file an Amended Plan to account for Plan arrears. The Chapter 13 Trustee website shows only \$1,995.70 owed on the vehicle in question, with \$2,750.65 in principle having already been paid through the Plan.

WHEREFORE, counsel for the Debtor respectfully requests that a hearing be held on the matter and that the Motion be denied.

Respectfully submitted,

By: /s/Matthew M. Brennan, Esq.
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